



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on September 25, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 98-3998

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: PASSAREDO TRANSPORTES AEREOS S.A.

Date Filed: June 26, 1998

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct charter foreign air transportation of passengers between a point or points in Brazil and a point or points in the United States, and other charters, in accordance with the Department's regulations (14 CFR Part 212).

If renewal, date and citation of last action: New Authority.

Applicant representative(s): Robert Allen Evers, 202-429-6630

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: September 25, 1998

Effective dates of authority granted: September 25, 1998, through September 25, 1999.

Basis for approval: United States-Brazil Air Transport Agreement (Agreement).

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

X Standard exemption conditions

Special conditions/Partial grant/Denial basis/Remarks: We found that the carrier is operationally and financially qualified to conduct the operations it proposes and that it is substantially owned and effectively controlled by citizens of Brazil. Passaredo Transportes Aereos may not conduct any charters to/from the United States without prior Department approval, in the form of a Statement of Authorization. The authority granted ABSA here is subject to the terms, limitations and conditions of the U.S.-Brazil Agreement, in addition to our standard exemption conditions.

Action taken by: Paul L. Gretch, Director
Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation.html>.*